

AMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 15 1999
 Returned to applicant for correction NOV 03 1999
 Corrected application filed DEC 16 1999
 Map filed SEP 10 1996 under 62260

The applicant **TRI WATER AND SEWER COMPANY C/o ROBERT SADER, ESQ.** makes application for permission to change the **POINT OF DIVERSION, PLACE OF USE AND MANNER OF USE** of water heretofore appropriated under **Permit 36283, Certificate 11130.**

1. The source of water is **underground**
2. The amount of water to be changed **0.01872 CFS, or sufficient to water 600 head of cattle.**
3. The water to be used for **Quasi municipal (industrial)**
4. The water heretofore permitted for **Stock watering**
5. The water is to be diverted at the following point **NW ¼ SE ¼ of Section 33, T. 20N., R. 22E., M.D.B.&M., or at a point from which the east one quarter corner of said Section 33 bears N. 83° 42' 48" E. a distance of 1427.32 feet. See map supporting application 62260 on file with State Engineer.**
6. The existing permitted point of diversion is located within **SE ¼ NE ¼ of Section 34, T. 20 N., R. 22E., M.D.B.&M. or at a point from which the southeast corner of said Section 34 bears S. 22° 17' 16" E., a distance of 4254.67 feet. See map supporting application 36283 on file with State Engineer.**
7. Proposed place of use **See Exhibit "A" attached hereto and map supporting application 62260 on file with State Engineer.**
8. Existing place of use **S ½ NW ¼ and SW ¼ NE ¼ of Section 34, T. 20 N., R. 22 E., M.D.B.&M. See map supporting application 36283 on file with State Engineer.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Complete well, install pump, motor, distribution piping and storage tank.**
12. Estimated cost of works **\$150,000**
13. Estimated time required to construct works **three years.**
14. Estimated time required to complete the application of water to beneficial use **10 years**

15. Remarks: This water will be used to provide service to an industrial, commercial and warehouse complex and for other uses within the proposed place of use.

s/Robert E. Firth
By Robert E. Firth
360 E. Riverview Cir.
Reno, NV 89509

Compared pe/cmf ds/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 36283, Certificate 11130, is issued subject to the terms and conditions imposed in said Permit 36283, Certificate 11130, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 61788, 62256, 62257, 62258, 62260, 62261, 62262, 62263, 63884, 65603, 66533, 66534, 66635 and 67363 shall not exceed 3191.78 acre-feet annually.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.01872 cubic feet per second, but not to exceed 13.44 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 26, 2002

Proof of completion of work shall be filed before:

July 26, 2002

Water must be placed to beneficial use on or before:

June 26, 2003

Proof of the application of water to beneficial use shall be filed on or before:

July 26, 2003

Map in support of proof of beneficial use shall be filed on or before:

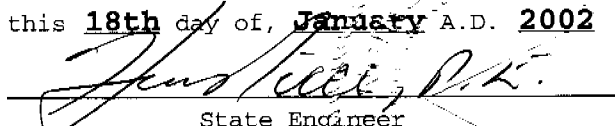
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 18th day of, January A.D. 2002


State Engineer

AUG 22 2002

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT "A"

Proposed Place of Use

T.20 N., R. 22 E., M.D.B.&M.

Section 32 - SW 1/4 lying south of Southern Pacific Railroad and S 1/2 SE 1/4

Section 33 - S 1/2

Section 34 - S 1/2

Section 36 - ALL

T. 19N., R. 22 E., M.D.B.&M.

Sections 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15 and 16 - ALL

Section 23 - N 1/2

Section 24 - N 1/2

T. 20N., R. 23 E., M.D.B.&M.

Section 29 - S 1/2

Section 30 - S 1/2

Sections 31 and 32 - ALL

T. 19N., R. 23 E., M.D.B.&M.

Sections 5, 6, 7 and 8 - ALL

Section 9 - W 1/2

Section 16 - W 1/2

Sections 17, 18, 19, 20 and 21 - ALL

Section 22 - W 1/2